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Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in Guinea-Bissau

I. Introduction

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1233 (1999), by which the Council requested me to keep it regularly informed of and to submit a report on developments in Guinea-Bissau as well as the activities of the United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS). Subsequently, in paragraph 11 of its resolution 1580 (2004), the Council requested me to submit a written report to it every three months.

2. Since the issuance of my last report, dated 10 June 2005 (S/2005/380), Assistant Secretary-General Tuliameni Kalomoh briefed the members of the Council on 12 August 2005 on developments in Guinea-Bissau, including with regard to the first round of presidential elections on 19 June 2005 and, especially, the second round of elections, held on 24 July 2005.

3. The present report focuses on developments since the August briefing. It also contains, as requested by the Council in its presidential statement of 19 August 2005 (S/PRST/2005/39), recommendations regarding the updating of the UNOGBIS mandate and its role in the consolidation of peace and stability in Guinea-Bissau in the post-transition period.

II. Political developments

4. During the reporting period, the political situation in the country remained fragile. The second round of presidential elections was held in a peaceful, free, fair and transparent manner, and the final phase of the political transition, which started on 14 September 2003, was completed successfully. However, the aftermath of the polling has been marked by bitterness and sharp political divisions due to the rejection of the provisional election results by Malam Bacai Sanhá, one of the main presidential contenders, and his party, the African Party for the Independence of Guinea-Bissau and Cape Verde (PAIGC). The majority vote, 52.35 per cent, went to Nino Vieira, compared with 47.65 per cent for Mr. Sanhá. Tension persisted when Mr. Sanhá again rejected the final results, announced on 10 August 2005.

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5. Following mediation efforts by the Special Envoy of the Chairperson of the African Union, President Pedro Rodrigues Pires of Cape Verde, who encouraged the National Electoral Commission to announce the final results and urged Mr. Sanhá to pursue legal means to address his electoral grievances, Mr. Sanhá filed an official appeal with the Supreme Court and indicated that he would accept the Court's ruling. On 19 August 2005, the European Union election observation mission released a press statement confirming that the presidential elections had been well organized and transparent and had met essential international principles for democratic elections. The mission also stated that, according to the electoral law of Guinea-Bissau, all legal resources had been exhausted. Nevertheless, on 20 August, at a meeting of PAIGC, Mr. Sanhá and Prime Minister Gomes, the PAIGC president, rejected the Supreme Court's ruling.

6. In an effort to ease the tension, on 22 August President Fradique de Menezes of Sao Tome and Principe, the current Chair of the Community of Portuguese-Speaking Countries (CPLP), visited Bissau briefly, met with the country's leaders, including Mr. Sanhá, and called upon all parties to refrain from any act that might jeopardize peace, stability and progress in the country and to uphold dialogue and unity. On 26 August, Mr. Sanhá's second request for the annulment of the poll results was also rejected by the Supreme Court, which declared that there were "insufficient judicial elements" to rule on that request.

7. The international community, in particular the Economic Community of West African States (ECOWAS), CPLP, the African Union and the United Nations, cooperated closely and effectively coordinated their efforts aimed at reducing electoral tensions, while UNOGBIS provided logistical support to the new CPLP office in Bissau.

8. During the electoral period, the political neutrality of the armed forces was crucial in guaranteeing a peaceful environment for the elections. Under the leadership of the Chief of the General Staff, General Tagme Na Waie, the armed forces intervened to provide security only at the request of transitional president Henrique Pereira Rosa, in coordination with the police and other law enforcement agencies. Appeals by national civil society organizations to the two candidates and their supporters to practice civil tolerance contributed positively to those efforts. In his public post-electoral statements, president-elect Vieira indicated that he would respect the separation of powers and work with the democratically elected institutions.

9. Throughout the electoral process, the attention of national stakeholders was focused exclusively on the elections, and UNOGBIS used its good offices to promote dialogue with political, military and civil society actors to enhance the management of various crises. In implementing its mandate to strengthen national conflict prevention and management, UNOGBIS invited a Geneva-based association, WSP International, to explore the potential for an inclusive research programme focused on the main sources of tension and possible avenues for stable development. In August, WSP International commenced joint preparatory activities with the National Institute of Studies and Research in Bissau.

10. Council members will recall that in my report to the Council dated 16 March 2005 (S/2005/174), I made a number of recommendations on how UNOGBIS should adjust its capacity to meet the requirements of its mandate in line with resolution

1580 (2004). I also outlined activities to help put the peacebuilding process in Guinea-Bissau on a steady, forward-looking track.

11. Subsequently, the focus of UNOGBIS activities from March to August 2005 was twofold: (a) to manage and resolve the series of crises inherent in the political transition and the electoral process so as to ensure the successful restoration of constitutional order; and (b) to build a reasonable degree of trust and a solid working relationship with the key national stakeholders and international partners in preparation for the critical post-transition peace consolidation phase.

12. With the completion of the political transition, UNOGBIS will have the role of a facilitator, within and outside the United Nations, in the development of self-sustainable national peacebuilding mechanisms and initiatives rather than that of a key protagonist in the peacebuilding process. To that end, it will resume its advocacy and good offices roles, as well as training and capacity-building activities, especially in the field of constructive conflict management and resolution. My recommendations on how to adjust the UNOGBIS mandate to enable the Office to carry out these functions are set out in paragraphs 35-37 below.

III. Economic and social aspects

13. The economic and financial situation remains difficult owing largely to low levels of internal and external resources. The Government has, however, continued to make a considerable effort to improve fiscal administration and limit expenditures to the required level. As noted by a mission of the International Monetary Fund (IMF), which visited the country in July, during the first six months of 2005 revenues from taxes had exceeded forecasts by 41 per cent, while expenditures were kept relatively under control. Although salaries had been paid to civil servants up to June 2005, the Government continued to face problems in meeting its salary obligations, accentuated by the prospect that the budget gap for the second half of 2005 could reach 12.5 billion CFA francs. If fiscal governance continues to improve, the IMF staff-monitored programme is expected to be replaced by an emergency post-conflict assistance programme, to be negotiated in the second half of the year.

14. In the long term, Guinea-Bissau hopes to benefit from the decision of the Group of Eight at its meeting in Gleneagles, United Kingdom of Great Britain and Northern Ireland, to cancel multilateral debt for the poorest countries. In the shorter term, the donor round table, scheduled for November 2005, would present an important opportunity for Guinea-Bissau to address the development challenges facing the country. However, the organization of the round table requires institutional stability and substantive support by the international community. Prior to the meeting, it is urgent for the international community to show the population of Guinea-Bissau quick and visible dividends of the present peacebuilding efforts. To that end, a $1.5 million portfolio of community-directed quick-impact projects that can be executed by non-governmental organizations has been submitted to donors for funding to help address the needs of vulnerable groups and mobilize additional popular support for the peace process.

15. Following the announcement by the Government of an outbreak of cholera on 21 June 2005, the United Nations system has been actively supporting the efforts of national authorities to fight the epidemic. The World Health Organization and the

United Nations Children's Fund (UNICEF) provided assistance by supplying medical products and education, information and communication materials and provided support for community public information activities. The agencies are part of a cholera task force established by the Government to monitor the situation and make appropriate recommendations. There is concern that the rainy season and poor public sanitation could contribute to the further spread of the epidemic. More support may be needed to control the problem.

IV. Military and security aspects

16. As the members of the Council will recall, in response to a request formulated by the Government, I dispatched a United Nations multidisciplinary project development mission to Guinea-Bissau earlier this year to examine the challenge posed by the proliferation of illicit small arms in that country. As a result of that mission, a project proposal was drafted whose main components are to provide assistance for the establishment of a national small arms commission and to implement a pilot small arms collection and destruction programme in the city of Bissau. Fund-raising for this project is well under way and its activities are expected to start within the next few months, within the framework of the United Nations Coordinating Action on Small Arms mechanism.

17. The United Nations Development Programme (UNDP) and UNOGBIS continue to provide support for security sector reform. UNOGBIS, at the request of the national authorities, recruited a national expert to assist the armed forces in formulating a project document on the reform. In response to the request of UNOGBIS to Guinea-Bissau's partners to support the reform, a security sector development advisory team from the United Kingdom plans to visit the country in October in support of the Office's efforts to provide assistance and advice to Guinea-Bissau in the formulation of a road map for comprehensive and credible security sector reform. ECOWAS, the CPLP, the African Union and several other bilateral and multilateral donors have expressed interest in assisting the Government to plan and implement security sector reform.

18. In order to enhance the performance of the police, which continues to be hampered by a lack of resources, to control criminality and to address the increase in organized crime, 250 police officers were sent to Angola for a three-month basic police training course. A major concern remains the inability of the police to tackle the growing problem of drug trafficking reportedly en route from South America to Europe, as there are no resources to investigate and take preventive action in that regard.

V. Human rights aspects

19. UNOGBIS continues its efforts to enhance respect of human rights and the rule of law, especially by the security services. Prior to the second round of elections, UNOGBIS organized a two-day training session for 23 senior police officers from all regions in the country on basic operational and tactical procedures with regard to crowd control, roadblocks, code of conduct principles and rules on the use of force and detention. It should be noted that during the electoral period, the freedom of expression, information, opinion and assembly was respected.

20. Given that the parliamentary debate on granting general amnesty to all persons involved in coups d'état from independence in 1974 to October 2004 is still pending, UNOGBIS intends to organize seminars for political, civil society and military actors on the wider implications of an amnesty as well as approaches to transitional justice.

21. UNOGBIS has participated in training sessions for senior officers of the armed forces and police in Bissau and the various regions, which were organized jointly with the national HIV/AIDS programme and the United Nations coordination expert on HIV/AIDS. The training also highlighted the need to combat violence against women as well as discrimination against and stigmatization of people with HIV/AIDS.

22. To advance the preparation of the first State report under the Convention on the Elimination of Discrimination against Women, UNOGBIS and UNICEF provided technical assistance to the Institute of Women and Children, with UNICEF funding consultants to assist in finalizing the report.

VI. Observations and recommendations

23. The completion of the electoral process marks the end of the transitional period and the full restoration of constitutional order. I wish to congratulate the people of Guinea-Bissau, who have made credible elections possible by turning out peacefully and in large numbers to vote for a new president. I also wish to commend the Government and the National Electoral Commission for the successful organization of the electoral process and for ensuring that the essential principles of democratic elections were met.

24. I extend my appreciation to transitional president Pereira Rosa for the courage, wisdom and outstanding sense of fairness and justice he demonstrated in leading the country through a complex and delicate political transition and for the support and excellent cooperation he has extended to UNOGBIS and my representatives throughout the transitional period.

25. I wish to note the effective collaboration between UNOGBIS and UNDP, both of which contributed to the holding of successful elections. At the request of the national authorities, UNDP coordinated international assistance to the electoral process and provided technical assistance, while UNOGBIS coordinated the activities of all international observer missions, with the exception of the European Union observers.

26. Now that the political contest is over, dialogue and reconciliation must prevail to overcome the divisions within the society of Guinea-Bissau and among political parties, which were particularly visible during the electoral process. Political stability is crucial if Guinea-Bissau is to consolidate its gains in governance: this will require considerable confidence-building efforts to dissipate institutional tensions and encourage constructive cohabitation between the organs of the State. One of the fundamental prerequisites for the consolidation of the constitutional order and the rule of law is respect for the independence of the judiciary, which would ensure a genuine rule of law. In that regard, I welcome Mr. Vieira's statements stressing unity, inclusiveness and recognition of the separation of powers between State institutions.

27. The political transition has ended, but Guinea-Bissau, which has now entered a delicate post-electoral phase, cannot meet its multiple short-term and long-term political and economic challenges without international assistance. I appeal to the international community to remain engaged and to provide Guinea-Bissau with development assistance. In my letter to President Olusegun Obasanjo of Nigeria dated 29 July 2005, I stressed that as Guinea-Bissau was approaching the full restoration of constitutional rule, once a newly elected president took office the proposals being developed for long-term economic recovery and reconstruction, including the convening of a donor round table, would be discussed with national stakeholders, and in particular with the country's new leadership.

28. I appeal to Guinea-Bissau's partners to participate actively in the forthcoming round table. The international community should support quick-impact economic and infrastructure initiatives to bring dividends of peace in the short, medium and long term to the people of Guinea-Bissau; elements for those initiatives are now being finalized by UNOGBIS and the United Nations country team.

29. One of the recommendations in my report of 16 March was to advance a comprehensive and integrated United Nations peacebuilding strategy under the coordination of UNOGBIS and with the support of the country team as a whole as an important instrument to boost resource mobilization efforts.

30. The draft comprehensive peacebuilding strategy has been prepared and has been discussed with major national stakeholders. In summary, it aligns the short-term objectives of consolidating peace and stability in the political sphere with the medium- to long-term objectives of promoting sustainable socio-economic development. It will be implemented in synergy with United Nations agencies and programmes and will complement them, with a focus on governance, State-building, human rights and resource mobilization.

31. The strategy includes promoting self-sustaining dialogue among all major stakeholders; enhancing governance and the rule of law and respect for human rights; fostering harmonious relations between the organs of sovereignty; assisting in the creation of functional indigenous conflict prevention and national reconciliation mechanisms; supporting national efforts for security sector reform; supporting the implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects; and mobilizing international support for quick-impact projects to address the country's immediate challenges.

32. To help implement the strategy, UNOGBIS will seek to merge the United Nations peace and security and development agendas and will form partnerships not only with executing agencies of the United Nations, but also with national and international non-governmental organizations and civil society organizations to follow up on implementation. The activities of the Office will be aimed at helping to achieve national ownership and accountability, self-sustainability in the medium and long term and a strong component of capacity-building. UNOGBIS will use its good offices to influence the stakeholders and inform them of the advantages and merits of participation in peacebuilding activities.

33. With the return of State institutions to normal functioning, UNOGBIS will resume the structured process of dialogue among national stakeholders that it started in the first half of this year. It will conduct a series of training workshops on

negotiation and conflict management skills, focusing on parliamentary parties and commissions, civil society actors and the military.

34. The aspects of the UNOGBIS mandate relating to the full restoration of constitutional order, the holding of peaceful, free and fair presidential elections and the elaboration of a United Nations peacebuilding strategy for Guinea-Bissau have been implemented successfully. The engagement of key national stakeholders and international partners on the question of security sector reform within the broader framework of public administration reform is under way. The basis of a national initiative to address the challenge posed by illicit small arms and light weapons has been established and requires resource mobilization.

35. In the light of the above developments, I would like to propose the retention of those elements of the mandate which remain valid, while revising them as follows:

(a) To support efforts to consolidate constitutional rule, to enhance political dialogue and to promote national reconciliation and respect for the rule of law and human rights;

(b) To assist in strengthening the capacity of national institutions to maintain constitutional order, to prevent and manage conflict and to consolidate peace and democracy;

(c) To encourage and support national efforts to reform the security sector, including the development of stable civil-military relations, in the framework of public sector reform and to help mobilize international support for those efforts;

(d) To encourage the Government to fully implement the United Nations Programme of Action on Small Arms;

(e) Within the framework of a comprehensive peacebuilding strategy, to work closely with the Resident Coordinator and the United Nations country team to mobilize international financial assistance to enable the Government to meet its immediate financial and logistical needs, including quick-impact projects, and to implement its national reconstruction and social and economic development strategy;

(f) To enhance cooperation and coordination with the African Union, ECOWAS, CPLP and other international partners, as well as inter-mission cooperation.

36. The emphasis of the proposed revised mandate will be on initiatives that meet the requirements of self-sustainability and national ownership; the development of synergies and complementarities with United Nations agencies, in particular UNDP and the Bretton Woods institutions, as well as with the African Union, ECOWAS and CPLP; and political dialogue, governance, human rights, security sector reform and resource mobilization.

37. The additional requirements of the mandate entail an adjustment of the Office's resource base. In that regard, I wish to reiterate my previous recommendations to strengthen UNOGBIS that were outlined in my report to the Council of 16 March 2005 and that took into consideration the country's short-, medium- and longer-term priorities. Some of the existing posts may need to be adjusted and new posts created, including: (a) a political affairs officer to assist with the increased workload, specifically, liaison with ECOWAS and CPLP, facilitation

of the process of political dialogue and liaison with donors and other international partners; (b) a senior national officer to liaise with national actors; (c) a United Nations Volunteer finance officer to support the effective and efficient financial management of UNOGBIS; and (d) a translator/interpreter in English and Portuguese. UNOGBIS will also require additional funding for travel throughout the country and to the subregion and more frequent consultations with the Security Council and subregional organizations.

38. Finally, I wish to thank the entire staff of UNOGBIS and my Representative for Guinea-Bissau for their continued dedication and commitment to the mission of assisting the people of Guinea-Bissau in their struggle for peace, stability, democracy and development.